

Minutes of the Fairfax County Consumer Protection Commission

February 17, 2009

7:30PM Conference 10
Government Center
12000 Government Center Pkwy.
Fairfax, Virginia 22035
Chairman Fee, presiding

Attendance:

Commissioners: Adams, Bahhur,
Belkowitz, Boyd, Douskalis, Fee,
Hargraves, Hine, Kirk, Mrowka, Nguyen,
Roark

Absent:

Commissioners: Rosier

Staff:

Michael S. Liberman, Director
Cable Communication and
Consumer Protection
Steve Sinclair, Chief
Public Utilities Branch
Susan C. Jones, Chief
Consumer Affairs Branch
David Reidenbach, Chief
Regulatory and Licensing Branch
Susan Hafeli, Utility Analyst

The meeting was called to order at 7:31PM by Chairman Fee.

Minutes

The minutes of the December 16, 2008, meeting was approved.

Report of the Chairman

Chairman Fee informed commissioners that the court hearing regarding towing of vehicles to lots outside of Fairfax County is scheduled for March 13, 2009.

Report of the Director

Director Liberman informed the commission that the Consumer Affairs Branch would received a proclamation from the Board of Supervisors on February 23, 2009, for National Consumer Protection Week, March 2-6.

Commission Matters

Commissioner Bahhur had Internet problems and commended Verizon on their assistance.

Commissioner Nguyen informed staff that a home warranty company out of California had a lawsuit against them.

Commissioner Boyd had no matters to bring before the commission.

Commissioner Roark mentioned the interaction of Congress and industry over the Digital Television Transition.

Commissioner Hine had no matters to bring before the commission.

Commissioner Kirk had no matters to bring before the commission.

Commissioner Belkowitz had no matters to bring before the commission.

Commissioner Mrowka had no matters to bring before the commission.

Commissioner Douskalis had no matters to bring before the commission.

Commissioner Adams had no matters to bring before the commission.

Commissioner Hargraves had no matters to bring before the commission.

Old Business

There was no old business.

New Business

1. Annual Elections

The nominating committee solicited possible candidates interested in holding positions. John Fee was nominated for Chairman, Bill Douskalis for Vice Chairman and Dirck Hargraves for Secretary. Commissioners unanimously voted in favor of all the nominees.

2. Fairfax Water Authority Presentation

Steve Edgemon, Deputy General Manager, provided an overview of Fairfax Water's history, current operations, water industry concepts, rate approach, and current legal issues.

A discussion ensued about lower prices, customer growth, consumption, quality of water, water pressure, efficiency of operation, and interconnection with City of Falls Church.

Stewart Rafael, legal counsel, Fairfax Water Authority, provided background information on the current lawsuit by the City of Falls Church against Fairfax Water Authority.

A discussion ensued on service areas, rules of competition, monopolies, and mediation.

Presentation ended at 8:55PM. Commissioners took a break.

Meeting resumed at 9:08PM.

3. Hacker License Appeal

Chairman Fee went over the special procedures for the denial of hacker's license per Chapter 84.1 of the Fairfax County Code.

The hearing was attended by Yassin Ali Moallin (defendant), Jeffrey Saradar (attorney)

- Attorney representing Yassin Moallin provided background on his client and details of the case. He requested that the commissioners reinstate Mr. Moallin's hacker's license.

Dave Reidenbach, Chief, Regulatory and Licensing Branch presented staff facts on the denial of Mr. Moallin's hacker's license in accordance with Section 84.1-3-4(c)(2) and (c)(6) of the Fairfax County Code.

Joe Norton, Sergeant, Fairfax County Police Department presented the facts about his involvement in this case.

A discussion ensued on the facts of the denial.

Chairman Fee made a motion on whether to uphold staff's decision. In favor: Adams, Bahhur, Belkowitz, Boyd, Douskalis, Fee, Hine, Kirk, Nguyen, Roark
Against: Hargraves Abstained: Mrowka. The denial was upheld.

The meeting adjourned at 10:51 PM.